

## EXPLANATION OF COMMISSION DETERMINATIONS ON ADEQUACY

in

*Steel Wire Rope from Japan*, Inv. No. AA1921-124 (Review), and  
*Carbon Steel Wire Rope from Korea and Mexico*, Inv. Nos. 731-TA-546-547 (Review)

On April 8, 1999, the Commission determined<sup>1</sup> that it should proceed to full reviews in the subject five-year reviews pursuant to section 751(c)(5) of the Tariff Act of 1930, as amended (19 U.S.C. § 1675(c)(5)). The Commission, in consultation with the Department of Commerce, grouped these reviews because they involve similar domestic like products.<sup>2</sup>

### ***Carbon Steel Wire Rope from Korea*, Inv. No. 731-TA-546 (Review)**

With regard to *Carbon Steel Wire Rope from Korea*, Inv. No. 731-TA-546 (Review), the Commission determined that both the domestic and respondent interested party group responses to its notice of institution were adequate and voted to conduct a full review. Regarding domestic interested parties, the Commission received a response from an association on behalf of its ten members who account for the majority of U.S. domestic production of the domestic like product. Regarding respondent interested parties, the Commission received a response from Kumho Wire Rope Manufacturing Co., Ltd., which, based on the information available to the Commission, accounts for a substantial amount of the subject imports.

Commissioner Crawford dissented from her colleagues in their determination regarding domestic interested party group adequacy and in their determination to conduct a full review. With respect to the domestic interested party group adequacy determination, and as Commissioner Crawford has previously stated, an association responding on behalf of its

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<sup>1</sup>Commissioner Crawford dissenting.

<sup>2</sup>See 19 U.S.C. § 1675(c)(5)(D); 63 *Fed. Reg.* 29372, 29374 (May 29, 1998).

members, in lieu of the members responding directly, must provide the Commission with some statement that allows the Commission to make a statutory determination regarding the willingness among interested parties to participate in a review and to provide information requested throughout the proceeding. In this particular review, the association purporting to represent domestic producers provided no such statement or other proxy to satisfy the statutory criterion regarding their willingness to participate and to provide information requested throughout the proceeding. A general statement that the association will fully participate in this review by providing requested information does not satisfy the statutory intent underlying the Commission's adequacy determinations.

Because the association failed to provide an effective means to assess producer willingness and intent to participate in this review, Commissioner Crawford determined that the domestic interested party group response was inadequate. She therefore determined to conduct an expedited review based upon domestic interested party group inadequacy.

***Steel Wire Rope from Japan, Inv. No. AA1921-124 (Review) and Carbon Steel Wire Rope from Mexico, Inv. No. 731-TA-547 (Review)***

With regard to *Steel Wire Rope from Japan*, Inv. No. AA1921-124 (Review) and *Carbon Steel Wire Rope from Mexico*, Inv. No. 731-TA-547 (Review), the Commission determined that the domestic interested party group response (described above) was adequate. Because no respondent interested party responded to the notice of institution, the Commission determined that the respondent interested party group responses were inadequate. The Commission further determined to conduct full reviews because conducting full reviews would promote administrative efficiency in light of the Commission's decision to conduct a full review with respect to *Carbon Steel Wire Rope from Korea*. See 63 Fed. Reg. 30599, 30604 (June 5, 1998).

Commissioner Crawford dissented from her colleagues in their determination regarding domestic interested party group adequacy and in their determination to conduct full reviews. For the same reasons stated above, Commissioner Crawford determined that the domestic interested party group response was inadequate. She therefore determined to conduct an expedited review based upon both domestic and respondent interested party group inadequacy.

A record of the Commissioners' votes is available from the Office of the Secretary and at the Commission's web site.